

HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No. 19524 of 2006

Between:

Smt. Gowri and others

..Petitioners

And

Municipal Corporation of Hyderabad,
represented by its Commissioner,
MCH Buildings, Lower Tank Bund,
Hyderabad and others

..Respondents.

:ORDER:

Counsel for the petitioner : Shri P. Venugopal

Counsel for the respondents : Smt. G. Jyothi Kiran

September 20, 2006:

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Per G.S. Singhvi, CJ

In this petition, the petitioners have prayed for quashing notice dated 14-06-2005 issued by the Municipal Corporation of Hyderabad under Section 146 of the Hyderabad Municipal Corporation Act, for acquisition of land for road widening purposes.

At the hearing, Smt. G. Jyothi Kiran, learned counsel for the Municipal Corporation stated that the property of the petitioners will not be forcibly demolished and if they do not agree to surrender the land, proceedings in accordance with law will be taken for acquisition thereof before the same is demolished for implementation of the road widening programme.

In view of the statement made by the learned counsel for the Municipal Corporation, we do not consider it necessary to adjudicate the legality of the impugned notice and dispose of the writ petition as infructuous with liberty to the petitioners to raise all legally permissible objections as and when proceedings for acquisition of land are initiated by the Municipal Corporation.

As a sequel to dismissal of the main writ petition,

W.P.M.P.No. 24630 of 2006 filed by the petitioners for interim relief is also dismissed as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

20-09-2006
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